

### REMARKS

By the present amendment, claims 1, 7, 13, and 15-20 are amended, claims 2-6, 8-12, and 14 are cancelled, and claims 21-28 are added. After entry of the amendment, claims 1, 7, 13, and 15-28 are pending in the application.

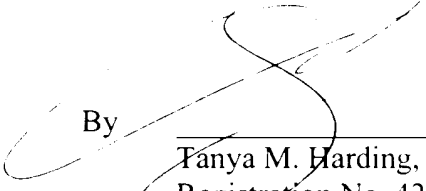
Attached hereto is a marked-up version of the changes made to the claims by the current amendment.

No new matter has been added by this amendment. The amendments have been made for purposes of clarity and are in no way meant to limit the scope of any claim.

Respectfully submitted,

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**Marked-up Version of Amended Claims  
Pursuant to 37 C.F.R. §§ 1.121(b)-(c)**

1. (amended) A recombinant nucleic acid molecule comprising a heterologous promoter sequence operably linked to a nucleic acid sequence, wherein the promoter sequence comprises a transcriptional regulatory region capable of mediating seed-specific expression in *Arabidopsis* wherein the transcriptional regulatory region [:]  
[(a)is obtainable from a 5' region of a plant *FAEI* gene; or]  
[(b)]hybridizes under stringent conditions to a sequence selected from the group consisting of SEQ ID NO. 15, 16, 17, and 18, or the complement thereof.[the 5' region of the plant *FAEI* gene; or]  
[(c) is at least 70% identical when optimally aligned to the 5' region of the plant *FAEI* gene.]
7. (twice amended) The recombinant nucleic acid molecule of claim [6] 1, wherein the [transcriptional regulatory region] promoter sequence is at least 70% identical [when optimally aligned to the 5' region of the plant *FAEI* gene.] to a sequence selected from the group consisting of SEQ ID NO. 15, 16, 17, and 18, or the complement thereof.
13. (amended) The recombinant nucleic acid molecule of claim [12] 1 wherein the nucleic acid sequence encodes an enzyme involved in lipid metabolism.
15. (amended) A [host] plant cell comprising a heterologous nucleic acid sequence, wherein the heterologous nucleic acid sequence comprises the recombinant nucleic acid molecule of claim 1[through 14.].
16. (amended) The [host] plant cell of claim 15, wherein the [host] plant cell is of a dicotyledonous plant species.

17. (amended) A transgenic plant comprising a heterologous nucleic acid sequence, wherein the heterologous nucleic acid sequence comprises the recombinant nucleic acid molecule of claim 1 [through 14.].
18. (amended) The transgenic plant of claim 17, wherein the plant is of a dicotyledonous plant species.
19. (amended) A method of altering the phenotype of a seed comprising:
  - a) transforming a seed-bearing plant, or a progenitor of the seed-bearing plant, with a vector comprising the nucleic acid molecule of claim 1; [through 14;]
  - b) growing the seed-bearing plant to obtain seed under conditions wherein the nucleic acid sequence is expressed during embryogenesis under the control of the transcriptional regulatory region to alter the phenotype of the seed.
20. (amended) A method of [transforming] producing a transgenic plant [cell] comprising [transforming] introducing into the plant [cell with] the recombinant nucleic acid molecule of claim 1 [through 14.].